Pension (1896) Department.

ORDINARY MS.

G.O., No. 437

DATED 5th June '96

[Despatch Abstract.]

Communicating to the Acctt. Genl. & the Inspr. Genl. of Police, letter from the Govt. of India stating that a pension exceeding Rs 10 p.m. cannot be granted under the Police Superannuation Fund rules in certain cases & reducing the pension granted to Sheikh Ibrahim in G.O. 75 dd 20.1.96, from Rs 12 to Rs 10.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No. 437, Pension, [illegible]th June 1896.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

Read—again G.O., No. 780, Pension, dated 12th July 1895.

Abstract.—Granting a retiring pension of Rs. (10) per mensem to Narayanasawmi Naidu, late second-grade head constable, Tanjore district, under articles 509 and 552, scale A, of the Civil Service Regulations, and stating that the full pension admissible under the rules has not been granted as his character and conduct have not been thoroughly satisfactory.

Read—again the following G.O., No. 1222, Pension, dated 19th October 1895 :—

Read—the following letter from F. C. HARRISON, Esq., Officiating Accountant-General to the Government of Madras, to the Secretary to Government, Pension Department, dated 26th August 1895, No. 144-P—I.A.D. :—

With reference to G.O., No. 943, dated the 14th of August 1895, stating that the Government is unable to agree with the views expressed by me upon the grant of a retiring pension to Narayanasawmi Naidu, I have the honour to request that the decision arrived at on my letter to Government, No. 124-P—I.A.D., dated the 24th July 1895, may be submitted to the Government of India for confirmation.

I would add that, though the wording of article 552, supports, to some extent, the contention advanced by Government, the spirit of the article read together with rule 1, article 555, points to the intention of Government being to limit the pension to Rs. 10 a month under the Police Superannuation Fund rules. Otherwise a policeman, who had completed 24 years' pensionable service, and who had drawn for the last three years of his service a salary of Rs. 25, can, upon retirement, only get a pension of Rs. 10, whereas another who drew Rs. 25, but was degraded for the last few days of his service, as in the present case, could get more than the former with his unblemished record.

Order—No. 1222, Pension, dated 19th October 1895.

Ordered that the Government of India be addressed.

(True Extract.)

(Signed) W. B. AYLING,
Ag. Asst. Secretary to Government.

Letter—from the Honourable Mr. E. GIBSON, I.C.S., Secretary to the Government of Madras, Pension Department, to the Secretary to the Government of India, Finance and Commerce Department, No. 1223, dated 19th October 1895.

I am directed to submit, for the orders of the Government of India, the accompanying pension case of Narayanasawmi Naidu, late second-grade head constable of the Tanjore district.

2. Narayanasawmi Naidu joined the Government service on the 1st July 1869 as a second-class constable in the Tanjore district on a salary of Rs. 6 per mensem, and subsequently rose to the position of first-grade head constable on Rs. 25. On the 1st October 1894 he was reduced to the post of second-grade head constable on Rs. 20 for neglect of duty, and he remained in this post for 4 months and 2 days and then retired voluntarily under the Police Superannuation Fund rules, having completed a qualifying police service of 25 years, 6 months and 29 days. The Inspector-General recommended him under articles 509 and 552, scale A, for a retiring pension of Rs. 12–3–5 per mensem, being half his average emoluments for the last three years, but as his character and conduct had not been thoroughly satisfactory, he was granted a reduced pension of Rs. 10 per mensem. The Accountant-General represented that with reference to articles 552 and 555, rule (1) the applicant was entitled to a pension of only Rs. 10 per mensem under the Police Superannuation Fund rules, and accordingly requested that the order sanctioning pension might be altered, but he was informed that, as the Police Superannuation Fund rules did not limit the amount of pension to Rs. 10, this Government was unable to agree with him in his view. He has now requested that this Government's decision may be submitted to the Supreme Government for confirmation. I am accordingly to refer the case for the orders of the Government of India with the remark that His Excellency the Governor in Council considers that the Accountant-General's view is untenable.

READ—again G.O., No. 75, Pension, dated 30th January 1896.

ABSTRACT.—Granting a retiring pension of Rs. (12) per mensem to Sheik Ibrahim, late second-grade head constable, Kistna district, under articles 509 and 552, scale A, of the Civil Service Regulations; agreeing with the Inspector-General of Police in considering that the maximum pension admissible to the applicant is Rs. 12–13–0 per mensem and not Rs. 10 as the Accountant-General contends; and observing that a reference has been made to the Government of India in a precisely analogous case, and that if that authority should agree with the Accountant-General, it will be necessary to reduce the pension now granted as the applicant's character and conduct have not been thoroughly satisfactory.

READ—again G.O., No. 124, Pension, dated 12th February 1896.

ABSTRACT.—Recording letter from the Government of India, No. 555-P., dated 4th February 1896, Finance and Commerce Department.

READ—again the following G.O., No. 226, Pension, dated 18th March 1896:—

Read—again letter to the Government of India, No. 1223, Pension, dated 19th October 1895.

Read—again the following letter from R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, dated Calcutta, the 4th February 1896, No. 555-P.:—

I am directed to refer to the correspondence ending with your letter, No. 21, dated 8th January 1896, regarding the grant, under the Police Superannuation Fund Rules, of a pension of Rs. 10 a month to Narayanasawmi Naidu, late a head constable in the Tanjore district.

2. I am to say that, as Article 514 of the Civil Service Regulations has the effect of disentitling an officer to full pension, under circumstances such as those described in the present case, there does not appear to be any conflict of rule. In the opinion of the Government of India the orders of the Government of Madras sanctioning a pension of Rs. 10 appear to be proper.

I have, &c.,

(Signed) R. NATHAN,
Offg. Under Secy. to the Govt. of India.

Read—also the following letter from F. C. HARRISON, Esq., Officiating Accountant-General to the Government of Madras, to the Secretary to Government, Pension Department, dated 21st February 1896, No. 33-P—I.A.D.:—

With reference to the letter, No. 555-P., dated the 4th instant, from the Government of India, Finance and Commerce Department, a copy thereof was forwarded to me, I have the honour to state that, though the ruling disposes of the case actually referred, it is not clear that it disposes of the real question raised in paragraph 2 of my letter, No. 144-P—I.A.D., dated 26th August 1895, namely, whether, in a case like the present, a pension exceeding Rs. 10 a month can be granted under the Police Superannuation Fund rules. The Government of India may mean that, if the man is entitled to more than Rs. 10, the Local Government has the right to reduce the pension under article 514, whilst, if he is not entitled to more than Rs. 10, still, as the Government thinks, he may have Rs. 10, it is not worth while discussing what is almost an academic question, namely, whether, he being only entitled to Rs. 10, the pension should have been further reduced, had the Local Government considered his conduct to have been unsatisfactory. I did not hold this view, or I would never have referred the case, but I quite admit that it is a possible one. The present case raises the issue directly, the amount granted by the Local Government being even after reduction more than Rs. 10 and I respectfully request therefore that the Government of India be addressed in view to obtaining a definite ruling on the point.

Order—No. 226, Pension, dated 18th March 1896.

Ordered that the Government of India be addressed.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Ag. Under Secretary to Government.

Letter—from the Honourable Mr. E. GIBSON, I.C.S., Secretary to the Government of Madras, Pension Department, to the Secretary to the Government of India, Finance and Commerce Department, No. 227, dated 18th March 1896.

In acknowledging receipt of your letter, No. 555-P, dated 4th February 1896, I am directed to state that, though the ruling therein contained disposes of the case actually referred, it is not clear that it disposes of the real question raised in paragraph 2 of my letter, dated 19th October 1895, No. 1223, viz., whether in a case like the one under reference, a pension exceeding Rs. 10 a month can be granted under the Police Superannuation Fund rules.

I am accordingly to request the favour of a ruling on this point for future guidance.

READ—also the following letter from R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, dated Simla, the 17th April 1896, No. 1728-P.:—

In reply to your letter, No. 227, dated 18th March 1896, I am directed to say that the Government of India are of opinion that in cases similar to that referred to in paragraph 2 of your letter, No. 1223, dated 19th October 1895, a pension exceeding Rs. 10 a month cannot be granted under the Police Superannuation Fund Rules.

Order—No. 437, Pension, dated 5th June 1896.

Communicated to the Accountant-General and the Inspector-General of Police.

2. The pension granted to Sheik Ibrahim in G.O., No. 75, dated 30th January 1896, will be reduced from Rs. 12 to Rs. 10.

(True Extract.)

A Arundel
Ag. Secretary to Government.

To the Accountant-General.
,, the Inspector-General of Police.

Desp. 15.6.96

Exd. Shaik Karim.

60 Copies.

Govt. of {1896} Madras.

PENSION.

Issued

Recd. *Encl,*

G.O., No. 437, 5th June 1896.

JUNE.

Communicating to the Accountant-General and the Inspector-General of Police letter from the Government of India stating that a pension exceeding Rs. 10 per mensem cannot be granted under the Police Superannuation Fund rules in certain cases, and reducing the pension granted to Sheik Ibrahim in G.O., No. 75, dated 30th January 1896, from Rs. 12 to Rs. 10.

(P)

MADRAS
APR 96
DEPARTMENT

8
No. 1728.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

Simla, the 17th April *1896*.

To

The Secretary to the Government of Madras,
Pension Department.

Sir,

In reply to your letter No 227, dated 18th March 1896, I am directed to say that the Government of India are of opinion that in cases similar to that referred to in paragraph 2 of your letter No 1223, dated 19th October 1895, a pension exceeding Rupees 10 a month cannot be granted under the Police Superannuation Fund Rules.

I have the honour to be,
Sir,
Your most obedient servant,

R Nathan

Offg. Under Secy. to the Govt. of India.
Exam

G. C. Press, Simla.—No. 60 C. F.—15-4-95.—6,000.

CURRENT No. 379 G.O. 226/96 P.

[9]

PENSION DEPARTMENT.

[illegible]

Order

1. Recorded.

From

The Govt. of India Finance & Commerce Deptt.

To the Acctt. Genl.

~~[illegible]~~

No. P/1728.

Dated 17th } Apl/96.
Received 27th

Enclosures

SUBJECT.

Stating that a pension exceeding Rs 10 a month cannot be granted under the Police Superannuation Fund Rules in cases similar to that of Narayanasawmy Naidu, late Head Constable, Tanjore Dt.

Note

1. The Govt. of India [illegible]

2. With reference to this decision of the Govt. of India, and to para 3 of G.O. $\frac{75}{30\text{-}1\text{-}96}$ Pension, orders solicited as to (a) what reduction should be made in the pension already granted to Shaikh Ibrahim, or (b) whether a reduction should not for similar reasons be made in the pension granted to Narayanasami Naik on [illegible] July 188[illegible] No. 79[illegible]

~~[illegible] notes [illegible] from [illegible] [illegible] family~~

P.T.O.

Pension
REVENUE DEPARTMENT.

No.

Note connected with G.O. [illegible] Pen. d. 5-6-96

From the Govt. of India, F&C dept. No. 1728 P, d. 17-4-96

Dated 189

FOR ORDERS. See

~~Note connected with G.O. No. [illegible] Pen. d. 5-6-96~~

Please see the note ~~[illegible]~~ above ~~[illegible]~~. The following table shows how the two men were dealt with.

		Narayanasami Nayak Rs	Sheik Ibrahim Rs
1.	Maximum pension ~~[illegible]~~ admissible	12-3-5	12-13-0
2.	Pension actually granted	10-0-0	12-0-0
3.	Maximum pension admissible according to the ruling	10-0-0	10-0-0
4.	Proportionate pension	8-3-0	9-5-10

Narayanasami Nayak was not warned that his pension was liable to reduction of the [illegible] was ~~[illegible]~~ correctly; Sheik Ibrahim was [illegible] warned.

India has already said that the pension of Rs 10 to Narayanasami Naick was "proper," & it need ~~not~~ now be interfered with.
As to Sheik Ibrahim it wd be hard now to reduce his pension below Rs 10 wh. is declared ~~to be~~ the

maximum, although a reduction w^d have been made if it had been known at the time the pension was granted that Rs 10 was the maximum. I think therefore that Sheik Ibrahim ~~may~~ be allowed to draw the full Rs 10.

ASt 5.5.96

FOR ORDERS.

Police Superannuation Fund – pensions

I agree with the Sec.
JG 7.5.96

Hon^ble Mr [illegible]

Note
This will have to go to a resolution of G.O. [illegible] notify G.O. of 10 July 1895 No 780

[G.O. No 437 Rev dy 5.6.96]

C. 6/5

C.N^o 379

REVENUE DEPARTMENT.

118

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read

Point.
Stew me prof.

abstract { G.O. dt 12.7.95 No 780
[G.O. dt 20.12.95 No 1222-1] – full
G.O. dt 30.1.96 No 75

G.O. dt 18.3.96 No 226-7
C. 379 } full.

Order 5 June 1896 No. 437

Communicated to the Accountant-General, & the I.G. of Police

2. The pension granted to Sheik Ibrahim in G.O. dt 30.1.96 No. 75 will be reduced from Rs 21/- to Rs 10/-

Pro. D 9.5.96 ASt 11.5.96

Acct^t Genl
I.G. Police

4/5

Pol. [illegible]

Scale
([illegible])

When given for copying
When copied
When examined
When signed
189 .

READ AGAIN G.O., No. , DATED 189							
CURRENT NO.							
ENCLOSURES TO C. NO.							
ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT.							
STATEMENT WITH DITTO.							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

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